

**Oregon Water Resources Department
Water Right Services Division**

Application for Extension of Time

In the Matter of the Application for an Extension of Time)
for Permit G-16205, Water Right Application G-16605, in)
the name of Jacob Davis and Elli Davis) FINAL
ORDER

Permit Information

Application:	G-16605
Permit:	G-16205
Basin:	12 – Malheur Lake / Watermaster District 10
Date of Priority:	January 24, 2006
Source of Water:	a well (HARN 50673) in Malheur Lake Basin
Purpose of Use:	Irrigation use on 125.6 Acres
Maximum Rate:	1.57 cubic feet per second(cfs)

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315.

Appeal Rights

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Application History

Permit G-16205 was issued by the Department on July 26, 2007. The permit specified completion of construction by October 1, 2011, and complete application of water to beneficial use by October 1, 2011. On February 15, 2022, Jacob Davis and Elli Davis submitted an Application for Extension of Time for Permit G-16205. In accordance with OAR 690-315-0050(2), 5. On May 3, 2022, the Department issued a Proposed Final Order (PFO) approving the Extension of Time to October 1, 2024. The issuance of this PFO did not appear on the Departments weekly public notice as required by OAR 690-315-0050(3). On August 10, 2022, the Department issued Superseding Proposed Final Order approving the Extension of Time to October 1, 2024. The protest period closed September 23, 2022, in accordance with OAR 690-315-0060(1). No protest was filed.

FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated August 10, 2022.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, any comments received, and information within the file, the permit may be extended subject to the following conditions:

LIMITATIONS AND CONDITIONS

1. **Pump Test Condition**

The water user shall submit a pump test as required by the permit no later than October 1, 2022. Failure to submit the required pump test by October 1, 2022, may result in the termination of this extension of time, and the cancellation of Permit G-16205.

2. **Last Extension Condition**

This shall be the last extension of time granted for Permit G-16205. Any future extensions of time request will be denied.

CONCLUSION OF LAW

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

ORDER

The extension of time for Application G-16605, Permit G-16205, therefore, is approved subject to conditions contained herein. The deadline for completing construction is extended from October 1, 2011, to October 1, 2015. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 1, 2011, to October 1, 2015.

DATED: October 7, 2022



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

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- If you have any questions about statements contained in this document, please contact the Permit Extension Specialist at (503) 979-3213.
 - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
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